



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

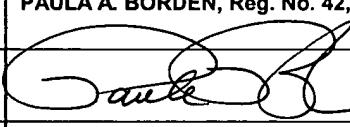
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/642,609
		Filing Date	August 17, 2000
		First Named Inventor	KUMAGAI, YOSHINARI
		Group Art Unit	1653
		Examiner Name	MOHAMED, ABDEL A.
Total Number of Pages in This Submission	3	Attorney Docket Number	BEAR-004

RECEIVED
NOV 6 2002
TECH CENTER 1600/29

ENCLOSURES (check all that apply)

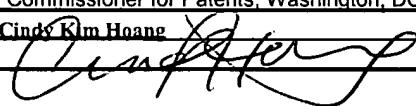
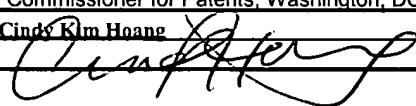
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	Change of Correspondence Address	1) Response to Restriction Requirement (2 pgs.)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	2) Return Postcard
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

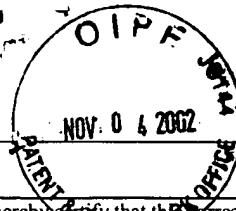
Firm or Individual Name	PAULA A. BORDEN, Reg. No. 42,344	
Signature		
Date	October 28, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: October 28, 2002.

Typed or printed name	Cindy Kim Hoang		Date	October 28, 2002
Signature			Date	October 28, 2002

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name	<i>Cindy Hoang</i>	
Signature	Date	10/28/02
RESPONSE TO RESTRICTION REQUIREMENT		
Address to: Commissioner for Patents Washington, D.C. 20231	Attorney Docket (Confirmation No.)	BEAR004 6929
	First Named Inventor	Y. Kumagai
	Application Number	09/642,609
	Filing Date	August 17, 2000
	Group Art Unit	1653
	Examiner Name	A.A. Mohamed
	Title: <i>Methods and compositions for reducing serum phosphate levels</i>	

Sir:

This is in response to the Restriction Requirement dated September 30, 2002. The Restriction Requirement set forth a one-month time period for response, making a response due on or before October 30, 2002. Accordingly, this response is timely filed.

I. REMARKS

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-16, drawn to a peptidic compounds and a composition thereof comprising one or more moieties that are phosphorylated *in vitro* or *in vivo* by physiologic enzymes and a method of reducing a phosphate level thereof;
- Group II: Claims 17, drawn to a method of increasing incorporation of phosphorus into bone in an individual by administering the composition recited in claim 17;
- Group III: Claim 18, drawn to a method of increasing bone strength in an individual by administering the composition recited in claim 18
- Group IV: Claims 19, drawn to a method of treating a bone disease in an individual by administering the composition recited in claim 19.

Applicants hereby elect to prosecute the claims of Group I (claims 1-16), with traverse. Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application.

This election is made with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes

*RECEIVED
NOV 06 2002
TECH CENTER 1600/2900*